

A U S T I N C I T Y C O U N C I L

**AGENDA**



Thursday, June 22, 2006

#111PH

+ Back

**Zone Hearings/App Ordinances/Restrictive Covenants  
RECOMMENDATION FOR COUNCIL ACTION**

**Subject:** C14-06-0103 - Murphey Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5029 Southwest Parkway (Barton Creek Watershed-Barton Springs Zone) from general office-conditional overlay (GO-CO) combining district zoning and limited office-conditional overlay (LO-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning. Planning Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Thomas Oran Murphey. Agent: Bury & Partners (Jim Gallegos). City Staff: Robert Heil, 974-2330.

**Additional Backup Material**  
(click to open)  
**D Staff Report**

**For More Information: Robert Heil, 974-2330.**

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0103 (Murphey Tract)

**PC Date:** June 13, 2006

**ADDRESS:** 5029 Southwest Parkway

**AREA:** 3.960 acres

**OWNER/APPLICANT:** Thomas Oran Murphey

**AGENT:** Bury & Partners (Jim Gallegos)

**ZONING FROM:** GO-CO and LO-CO    **TO:** GO-CO

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of GO-CO .

*The Conditional Overlay is as follows:*

- The height is limited to 4 stories
- Lighting on the property will be shielded so that the lighting shall not shine upon adjacent properties
- At the time an application for approval of a site plan is submitted for the development of the property, or any portion of the Property, an Integrated Pest Management (IPM) Plan shall be submitted to the Watershed Protection and Development Review Department for review and approval. The IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual that are in effect on the date of this covenant.
- At the time an application for approval of a site plan is submitted for development of the Property, a landscape plan for the use of native and adapted plant materials according to the Grow Green Plan List shall be submitted to the Watershed Protection and Development Review Department for review and approval.
- The use of coal-tar based asphalt sealants for the construction or repair of paving on the Property is strictly prohibited.
- The following uses are prohibited(listed below) and making college and university facilities and public secondary educational facilities conditional uses that will be subject to site plan :
  1. Communication Service Facilities (except roof-top telecommunication towers and antennae no higher than 20 feet above the building roof will be permitted)
  2. Community Events (except incidental events for building occupants and their guests and charitable purposes will be permitted)
  3. Community Recreation (Private)
  4. Community Recreation (Public)
  5. Congregate Living
  6. Family Home
  7. Food Preparation (except food preparation for onsite use will be permitted)

8. Hospital Services (General)
9. Hospital Services (Limited)
10. Local Utility Services
11. Off-Site Accessory Parking
12. Personal Services
13. Off-Site Accessory Parking
14. Personal Services
15. Printing and Publishing (except in-house publishing and printing for use by the building occupants will be permitted)
16. Restaurant (Limited)
17. Safety Services
18. Telecommunication Tower (except roof-top telecommunication towers and antennae no higher than 20 feet above the building roof will be permitted.)

The previous public restrictive covenant is still in effect, specifically:

- Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function media to allow left in or left out movements only.
- Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions and other traffic related characteristics.

**PLANNING COMMISSION RECOMMENDATION:**

**June 13, 2006:** Approved staff's recommendation of GO-CO on consent (8-0).

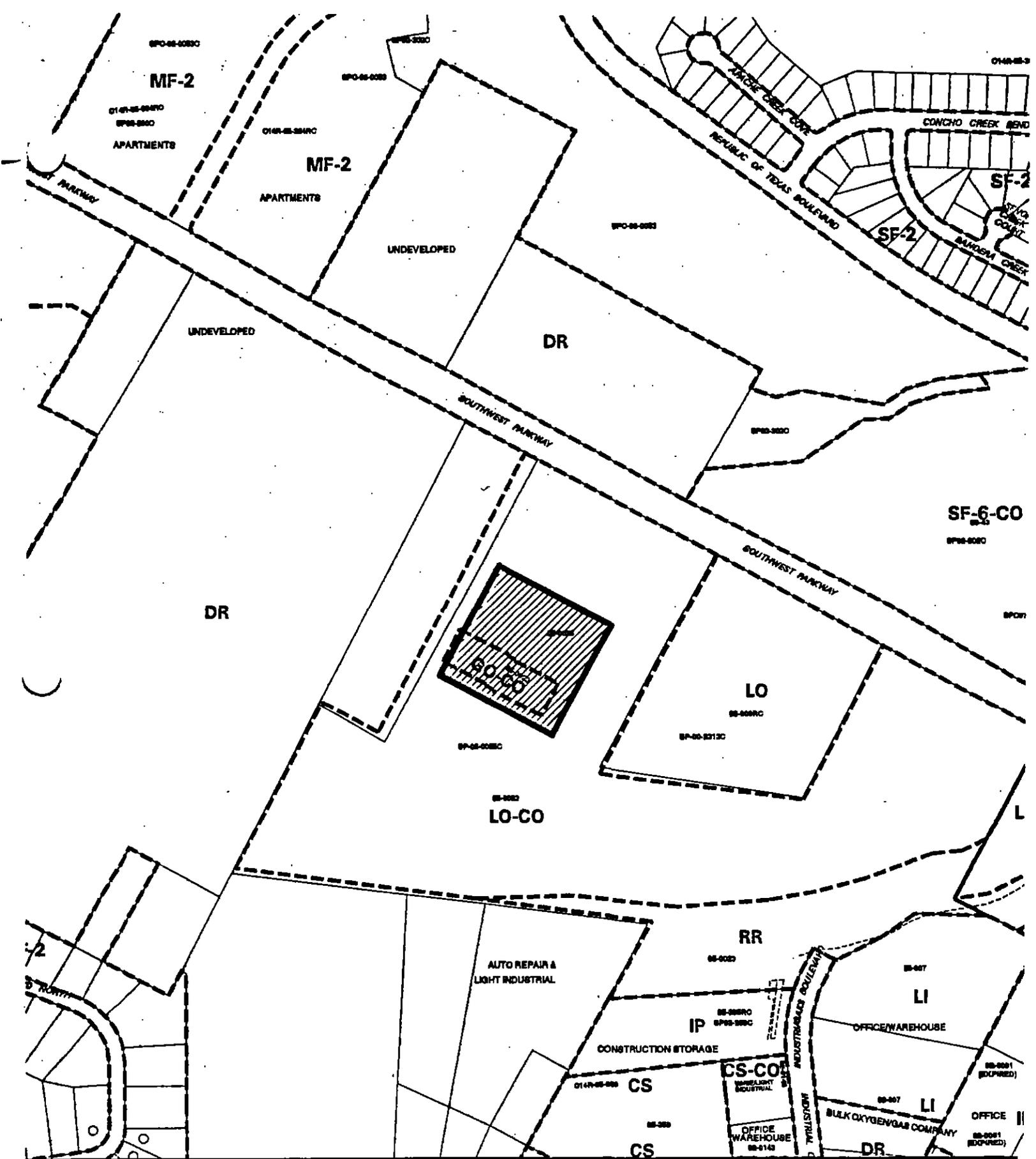
**DEPARTMENT COMMENTS:**

On May 12, 2005 City Council approved the Zoning and Platting Commission's recommendation by rezoning this tract (Case C14-05-0023) and the surrounding property from Development Reserve (DR) to its current zoning of LO-CO and GO-CO. The bulk of the property was zoned LO-CO, and a smaller footprint was zoned GO-CO, as requested by the applicant.

When the applicant brought the property in for site plan approval, the applicant realized that the requested area of GO was only building footprint. A slightly larger area is needed at GO to allow the project to meet the site development standards of the GO district. This case seeks to rectify that error.

Staff supports the request.

The Murphy Tract is a 48.117 acre development located on Southwest Parkway west of MoPac. The property is currently undeveloped and zoned General Office (GO), Limited Office (LO), and Rural Residential (RR). The intended use is for 344,000 square feet of

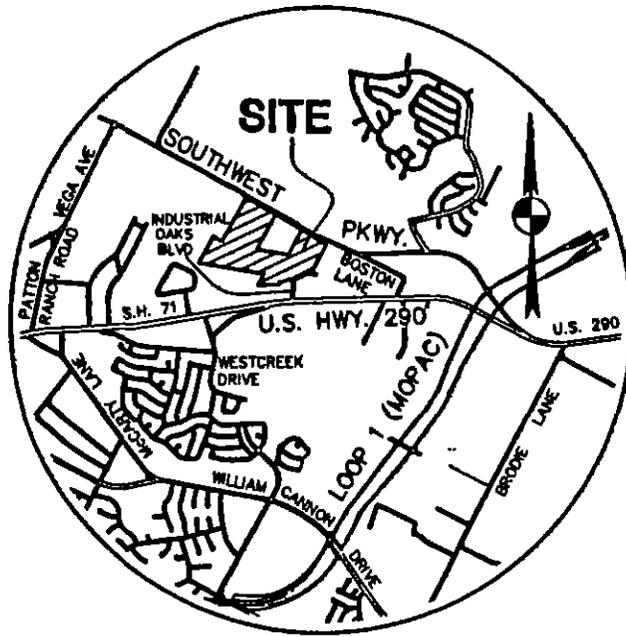


SUBJECT TRACT   
 PENDING CASE   
 ZONING BOUNDARY   
 CASE MGR: R.HEIL

**ZONING**  
**CASE #: C14-06-0103**  
**ADDRESS: 5029 SOUTHWEST PARKWAY**  
**SUBJECT AREA (acres): 3.980**

**DATE: 06-05**  
**INTLS: TRC**

**CITY GRID REFERENCE NUMBER**  
**D20**



VICINITY MAP  
(N.T.S.)

LINE TABLE

No.	Bearing	Distance
L1	S60°06'26"E	420.00'
L2	S29°53'34"W	410.50'
L3	S60°06'26"E	420.00'
L4	S29°53'34"W	410.50'
L5	S59°50'35"E	54.35'
L6	S46°31'06"E	239.32'

SHEET 2 OF 2

**Bury+Partners**  
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Austin, Texas 78746  
Tel. (512)328-0011 Fax (512)328-0325  
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**SKETCH TO ACCOMPANY DESCRIPTION**  
OF 172,410 SQUARE FEET OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 48.86 ACRE TRACT OF LAND CONVEYED TO THOMAS ORAN MURPHEY JR. BY DEED OF RECORD IN VOLUME 13224, PAGE 869 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

**TRANSWESTERN  
PROPERTY CO.**



**SUMMARY STAFF RECOMMENDATION**

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18. Telecommunication Tower (except roof-top telecommunication towers and antennae no higher than 20 feet above the building roof will be permitted.)

The previous public restrictive covenant is still in effect, specifically:

- Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function media to allow left in or left out movements only.
- Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions and other traffic related characteristics.

#### **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

General Office (GO) is the designation for an office or commercial use that serves community and city-wide needs. Limited Office is the designation for an office use that serves neighborhoods or community needs and that is located in or adjacent to residential neighborhoods. Rural Residential is the designation for a low density residential use on a lot that is a minimum of one acre. The proposed zoning is consistent with the purposes of these districts.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

General Office is appropriate adjacent to existing Limited Office (LO) zoning to the east and the Townhouse and Condominium Residence (SF-6) zoning across Southwest Parkway to the north.

#### **EXISTING CONDITIONS**

The Murphy Tract is a 48.117 acre development located on Southwest Parkway west of MoPac. The property is currently undeveloped and zoned Development Reserve (DR). The applicant has requested a zoning change to General Office (GO), Limited Office (LO), and Rural Residential (RR).

There is a developed office use with Limited Office (LO) zoning largely surrounded by the subject tract. One single family house on otherwise vacant Development Reserve (DR) zoned land lies to the west. Across Southwest Parkway to the north lies undeveloped land (DR) and a developed single family subdivision (SF-6-CO). To the south and southeast are a mix of light industrial and commercial zoning with warehouse, construction storage and office uses.

**Site Plan**

This site is located within the Hill Country Roadway Corridor, LOW Intensity Zone. The floor-to-area ratio of a non-residential building may not exceed

- .20 for a building on property with a slope gradient of 15 percent or less.
- .25 for a building on property with a slope gradient of 15 percent or less if the Land Use Commission grants a development bonus under Section 25-2-1128
- .08 for a building on property with a slope gradient of more than 15 percent but not more than 25 percent.
- .04 for a building on property with a slope gradient of more than 25 percent but not more than 35 percent.

A commission approved site plan that may be appealed to City Council will be required prior to the issuance of a building permit for this site.

This site is located in the Barton Springs Zone, no individual retail use may exceed 50,000 square feet and no food sales use may exceed 100,000 square feet. [Sec. 25-2-651]

As the property to the west is used as residential, the site is subject to compatibility standards. Along the west property line, the following standards apply:

- No structure may be built within 25 feet of the residential property line to the west.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the residential property line to the west.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the residential property line to the west.
- No parking or driveways are allowed within 25 feet of the residential property line to the west.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

**Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 6,838 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

The traffic impact analysis for this site was waived because development of this property is limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA associated with zoning case C14-05-0023, including peak

hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

<b>NAME</b>	<b>ROW</b>	<b>PAVEMENT</b>	<b>CLASSIFICATION</b>
Southwest Parkway	160'	120'	Six Lane Divided Major Arterial

**Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The landowner must pay the associate City fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

**Environmental**

This site is located over the Southern Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed . It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone.

According to flood plain maps, there is no flood plain within the project location.

The site is located within the endangered species survey area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.